

1 10A NCAC 13J .1001 is amended under permanent procedures as follows:

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3 **10A NCAC 13J .1001 AGENCY MANAGEMENT AND SUPERVISION**

4 (a) The governing body or its designee shall establish and implement written policies governing agency operation.

5 Such policies shall be available for inspection by the Department. The policies shall include, at a minimum:

- 6 (1) a description of the scope of services offered;
- 7 (2) admission and discharge policies;
- 8 (3) supervision of personnel;
- 9 (4) development of, and updates to, the plan of care;
- 10 (5) management of emergency care situations in the home;
- 11 (6) time frame for completion and return of service records to the agency;
- 12 (7) personnel qualifications;
- 13 (8) an organizational chart;
- 14 (9) program evaluation;
- 15 (10) employee and client confidentiality; and
- 16 (11) coordination of and referral to and from other community agencies and resources.

17 (b) The agency shall designate an individual to serve as agency director. The agency director shall have the  
18 authority and responsibility for administrative direction of the agency and shall meet one or more of the following  
19 qualifications:

- 20 (1) a health care practitioner as defined in G.S. 90-640(a);
- 21 (2) an individual who has at least 2 or more years of documented supervisory or management  
22 experience in home care or any other provider licensed pursuant to G.S. 131E or G.S. 122C; or
- 23 (3) an individual who holds a bachelor's degree in health science, business administration or a  
24 related field and has at least 1 or more years of documented supervisory or management  
25 experience in home care or related health programs.

26 Such qualifications do not apply with respect to persons acting in the capacity of agency director prior to October 1,  
27 2006.

28 (c) The agency shall designate a person responsible for supervising each type of home care service provided by the  
29 agency either directly or by contract. This individual may be the supervisor for one or more home care services and  
30 may also serve as the agency director.

31 (d) There shall be written documentation that specifies the responsibilities and authority of the agency director and  
32 supervisor.

33 (e) If the position of agency director becomes vacant, the Department shall be notified within five working days in  
34 writing of such vacancy along with the name of the replacement, if available. Agency policies shall define the order  
35 of authority in the absence of the administrator.

1 (f) The agency shall have the ultimate responsibility for the services provided under its license; however, it may  
2 make arrangements with contractors and others to provide services in accordance with Rule .1111 of this  
3 Subchapter.

4 (g) An agency shall have written policies which identify the specific geographic area in which the agency provides  
5 each service. If an agency plans to expand its geographic service area without opening an additional site, the  
6 Department shall be notified in writing 30 days in advance.

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8 *History Note: Authority G.S. 131E-140;*

9 *Eff. July 1, 1992;*

10 *Amended Eff. October 1, 2006.*